

The Proceedings at
The Sessions-House

IN
The Old-Bayly,

On the 24 of this instant *November*,

In Relation to the Bill of Indictment, presented to the Grand-Jury of *London*, against the Earl of *Shaftsbury* for High-Treason. Giving an Account of all the most Material Passages.

With the Names of the Evidence, their Examination by the Jury, and the Returning the Bill Ignoramus, &c.

THis day the Grand Jury for the City of *London*, being Summoned by Vertue of a special Commission, made their Appearance at the Sessions-House in the *Old-Bayly*, where after they were Sworn, Sir *S. Bernardiston* being Foreman, a Bill of Indictment for High-Treason against *Anthony* Earl of *Shaftsbury* was Presented to them, the which, after my Lord Chief Justice had given the Charge, was Read, Importing, that the said Earl had Tratorously and Maliciously conspired the compassing the Death of his Majesty, him to Depose, and put to final Destruction, by raising Armes, and leavying War within his Majesties Dominions, &c. Upon which a Paper was produced; Importing several Designs against his Majesties Person and Government: As likewise a kind of an Oath or solemn Covenant to be taken by such as were to enter into the Confederacy for opposing the Succession, which Paper was Sworn to be found in the Earls Closet by Mr. *Guinn*, one of the Clerks of the Council, and sealed up in his Trunk on the 6th of *July* last, &c. Sir *Lyonel Jenkins* and Mr. *Blackwaite* gave Evidence, that it was the same Paper that they had before seen, which came out of the Earls Trunk; then after the Jury had made Objections against the Witnesses being Examined in open Court, and had been over-ruled in that particular, Mr. *John Booth* was called and Sworn, the rest not being permitted to come, within hearing; he gave in Evidence, that he having had access to the Earls presence, by the means of Captain *Wilkinson*, a little before the

the sitting of the Parliament at *Oxford*; he told him, that having well considered the Elections, he found they would insist upon the Bill of Exclusion; The Repealing the 35 of *Elizabeth*, and the bringing in a Bill for Uniting the Protestant Dissenters, which he knew the King would not consent to, and therefore it was resolved, to compel him to it, and for that purpose, most of the Members would come Armed, and that himself was to have Fifty Gentlemen, which he designed should be Commanded by Captain *Wilkinson*, and that Captain *Wilkinson* told him, if he would List himself under him, he must provide him with Horse and Armes, and that he would provide his Man with a Horse, the which he declared was done: The other witnesses were *John Smith*, *Edward Ivy*, *Edward Turbervill*, *Brian Haines*, *John Macknamarra*, *Dennis Macknamarra*, *Bernard Dennis*, who Evidenc'd that the Earl at several times imparted to them Treasonable designs, tending to the Deposing of his Majesty, and to reduce the Kingdome to a Common-wealth, after the manner of *Holland*; and that for that purpose, several persons would Arm; the Rable being resolute on their side, and a great number of Gentry who would cut in pieces the Mercenary Guards, and then rake from his Majesty such Lords as at that time he mentioned, saying they Evilly advised his Majesty; and that unless such means were used, Popery would Enervably be Introduced and that it now stood the People of *England* upon to stand for their Liberties: that his Majesty might be Deposed as King *Richard the Second* was, he having taken such like Measures, or to that effect. Farther, it was Sworn that his Lordship should say, that his Grace the Duke of *Buckingham* (in the Right of his Mother) ought to be Baron of *Ross*, and had as good a Title to the Crown, as the Descent of the *Stuarts*, or to that effect. Many other passages were Sworn to, too tedious here to Insert. When the Evidence had been Examined, the Jury withdrew for some time, to consider the particulars, when returning, they desired to Examine the Evidence one by one, which was granted by the Court, whereupon they were called in order, and Cross Examined to what they had Sworn, in which they little vary'd. When they had been Examined for the space of two hours, the Jury desired to have the Statute Book, to peruse the Statutes of the 25 of *Edward the third* and that of the 13 of his present Majesty, which was granted, and then went out again to debate the matter upon the whole Evidence, but stay'd not above the space of an hour and a half before they returned, and brought in the Bill *Ignoramus*, upon which a very great Shout was given, and upon the complaint of the Evidence that they were in danger of their Lives, the Court ordered the Sheriffs to send for a Guard to Conduct them safe to their Habitations, and so ended these remakable proceedings.